

MEMO ENDORSED.



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May 16, 2025

VIA ECF

Hon. Ona T. Wang
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

The parties' request to extend the deadline to answer the complaint is **GRANTED**. Defendant's deadline to answer will be **August 18, 2025**. The parties' request to adjourn the conference is **GRANTED** in part. The conference is adjourned to **Tuesday, September 9, 2025 at 2:00 p.m.**

SO ORDERED.

Ona T. Wang
U.S.M.J.

May 19, 2025

Re: D.K. et al., v. N.Y.C. Dep't of Educ., 25-cv-03503 (JLR)(OTW)

Dear Judge Wang,

We represent Defendant in the above-referenced case, wherein Plaintiffs seek attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* ("IDEA"), as well as for this action.

Defendant, with Plaintiffs' consent, respectfully submits this letter to request (a) an adjournment, *sine die*, of the Preliminary Settlement Conference Call currently scheduled for Tuesday, May 20, 2025, at 2:30 p.m.; and (b) an extension of time to respond to the Complaint.

In accordance with the Court's directive, the parties submitted a joint letter on May 13, 2025, advising that this is a fees-only case and liability is not at issue. ECF No. 10. Accordingly, the parties believe that there is no need for discovery or an initial conference at this time. *Id.* As previously noted, Defendant received Plaintiffs' attorney billing and will begin the internal review process, which requires reviewing the billing records together with the underlying administrative record before commencing settlement negotiations, and which routinely takes about 90-days. *Id.* The parties also provided a proposed briefing schedule per the Court's April 29, 2025, Order. ECF Nos. 6, 10. In light of the foregoing request and to allow time for Defendant to process this matter for settlement, Defendant respectfully requests a 90-day extension of time to respond to the Complaint from May 20, 2025, to August 18, 2025. This is Defendant's first request for an extension of this deadline. Plaintiffs consent to this request.

Accordingly, Defendant respectfully requests that the time to respond to the Complaint be extended to August 18, 2025, and that the Court adjourn the Preliminary Settlement Conference Call, *sine die*. Thank you for considering these requests.

Respectfully Submitted,

By: /s/ Vivian Rivera Drohan
Vivian Rivera Drohan, Esq.

cc: Adam Dayan, Esq. (via ECF)